HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :25706 of 2007

Dated 3rd December, 2007

Between

Talari Yesuratnam and ors

…Petitioner

and

The Tahsildar, Buttaigude, WG District and ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 25706 of 2007

ORDER:

In this Writ Petition, the petitioners claim to be the owners of the land admeasuring Ac.4.97 cents covered by R.S.No. 1/1 and 1/2 of Busarajupally village of Buttaigudem Mandal in W.G. District, seek Writ of Mandamus to declare the action of the respondents 1 and 2 in not providing protection to cultivate their lands as illegal and arbitrary.

It is stated in the affidavit filed in support of the Writ Petition that though there is interference by the tribals at the instance of the third respondent and in spite of making representation to respondents 1 and 2, no action is being taken. A copy of the representation dated 4-6-2007 is filed in the material papers annexed to the Writ Petition.

I have perused the said representation. In the said representation, the petitioners 2 and 3 have merely stated that they were tribes before 1950 and their father acquired the subject land and they are cultivating the land by paying revenue. It is further stated that in spite of the same, this year, the tribes of Krishnapuram highhandedly attempted to interfere with cultivation of

the said lands and hence they sought police protection.

In the complaint filed before the police, no specific name of the tribe is mentioned. The complaint itself is very vague. Practically, it is not possible even for the police to give any protection. In that view of the matter, I do not find any ground for grant of relief as prayed for. However, if any representation is filed complaining interference with their lands by mentioning names of the persons, the respondents shall consider the same in accordance with law.

Subject to the above direction, the Writ Petition is disposed of at the admission stage. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 3-12-2007
Msnr.